



## DEPARTMENT OF EDUCATION

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STATE SUPERINTENDENT  
PUBLIC INSTRUCTION

### **STATE GUIDANCE**

**To:** All Child Nutrition Programs

**From:** Colleen Fillmore, Ph.D., R.D., L.D.  
Child Nutrition Programs Director

**Date:** October 6, 2006

**Subject:** Notification that Profera Inc., Produced a Pepperoni Cheese Pizza with Whole Grain in Violation of the Child Nutrition (CN) Labeling Program  
**Policy Memo CNP- 07- 01**

A recent inquiry brought to USDA's attention the inappropriate use of a CN label on a Pepperoni Cheese Pizza with Whole Grain product produced by Profera Inc. This company has produced the CN labeled product without approval for the label or formula. The following course of action, as supported by the regulations, will be taken against Profera Inc., establishment 4007: the label for the **Pepperoni Cheese Pizza with Whole Grain, CN ID number 066074**, is barred from use as a CN label because it has not been approved by the Food and Nutrition Service (FNS), and USDA have no record of approval by the Food Safety and Inspection Service's (FSIS) Labeling and Consumer Protection Staff.

If the company wishes to produce the above product as a CN labeled product, they must submit a new label application with a new CN identification number for final approval by FNS and FSIS. The Food Safety and Inspection Service has been notified and may take further action against the company.

Please notify your sponsors about the action against this label and inform them that any product with CN label number 066074 was not produced with an approved label and therefore does not carry a USDA warranty for use in CN programs.

For further information call the Child Nutrition Division at 208-332-6820